



# Cantor Colburn LLP

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VIA ECF AND E-MAIL ([chambersnysdseibel@nysd.uscourts.gov](mailto:chambersnysdseibel@nysd.uscourts.gov))

December 4, 2015

The Honorable Cathy Seibel  
United States District Judge  
U.S.D.C. Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: *The Wave Studio, LLC v. Amadeus North America, Inc., et al.*  
Case No. 7:15-cv-06995-CS

Dear Judge Seibel:

This letter is submitted on behalf of Defendants,<sup>1</sup> priceline.com LLC, Amadeus North America, Inc. and Cathay Pacific Airways, Ltd., (collectively, the "Defendants"), in accordance with Your Honor's Individual Practices, to request consolidation of this case with the related case *The Wave Studio v. General Hotel Management Ltd., et al.*, Civil Case No. 7:13-cv-09239-CS (the "GHM Litigation") and to stay of this case with respect to the Defendants.

Plaintiff, The Wave Studio, LLC ("Plaintiff"), has consented to consolidation of this case with the GHM Litigation, and to stay of this case with respect to the Defendants until such time as the stay is lifted in the GHM Litigation.

The present case was transferred to this Court from the Northern District of California on September 4, 2015 [Dkt. No. 41]. On September 8, 2015, the Court ordered that each active case filed by Plaintiff in this Court, except for the present case, be consolidated with the GHM Litigation, and stayed with respect to each defendant except GHM. On October 8, 2015, the Court accepted the present case as related to the GHM Litigation pursuant to a Statement of Relatedness filed by Plaintiff on October 7, 2015 (Dkt. No.

<sup>1</sup> As of this date of this letter, the remaining defendants Koninklijke Luchtvaart Maatschappij N.V., d/b/a KLM Royal Dutch Airlines and John Lim d/b/a Travels-Web have not been served. KLM has indicated that it does not oppose consolidation and stay of the present case. On information and belief, defendant Lim lives in Singapore, and Defendants have not been in contact with him.



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49). In the Statement of Relatedness, Plaintiff asserted that this matter is related to the GHM Litigation because the same body of copyrighted works is at issue in this case as in the GHM Litigation. The GHM Litigation is currently stayed with respect to each of the defendants except GHM so that Plaintiff and GHM can litigate the threshold issue of copyright ownership in these works.

Plaintiff respectfully asserts that its case should be consolidated with the GHM Litigation for the same reasons that the GHM Litigation was consolidated and stayed on September 8, 2015. In addition, a consolidation and stay of this case is supported by the Statement of Relatedness accepted by the Court on October 8, 2015.

Based on the forgoing, Defendants respectfully request that the instant action be consolidated with the GHM Litigation and that the consolidated action be stayed as to all Defendants except GHM. A copy of the Stipulation and [Proposed] Order to Consolidate Cases and to Stay Litigation, which has been executed by the Plaintiff and the Defendants, is enclosed.

Respectfully submitted,

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